

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 Q, Closed Area No. 42, Bass Harbor, McKinley, promulgated on September 24, 1973, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.04 Q, Closed Area No. 42, Bass Harbor and the eastern shore of Duck Cove, Tremont.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Bass Harbor and a portion of Duck Cove, Tremont. These two areas are described as follows:
 - a. The Eastern Shore of Duck Cove: This area is bounded by highest tide mark and a line that begins on the eastern shore of Duck Cove at a red post located about 800 yards south of the mouth of Duck Cove Stream. From this post the line runs true west to the lowest tide mark and then follows the lowest tide mark south and then southeasterly for about 800 yards to a small unnamed point where a line drawn true west from the red post intersects the lowest tide occurrence.
 - b. Bass Harbor: The entire harbor is closed inside northerly of a line beginning at the most eastern tip of Lopaus Point and running east southeast to the light house at Bass Harbor Head.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: November 6, 1995

AGENCY CONTACT PERSON: Robert D. Lewis
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BANGOR DAILY NEWS
November 9, 1995

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 Q, Closed Area No. 42, Bass Harbor, McKinley, promulgated on September 24, 1973, and replaces it with a new rule that closes Bass Harbor and the Eastern shore of Duck Cove at Richtown.

Department personnel have sampled and surveyed the flats and waters of Tremont and have determined that in addition to Bass Harbor much of the shoreline around Richtown must be closed to shellfish harvest because intermittent microbial pollution in these areas pose a threat to the public health.


E. PENN ESTABROOK
DEPUTY COMMISSIONER

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Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Tremont

C42 - Bass Harbor and the eastern shore of Duck Cove, Tremont 11/6/95



0.4 0 0.4 0.8 Miles